

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COURTNEY BOYD : CIVIL ACTION
 :
 v. :
 :
 JOHN E. WETZEL, et al. : NO. 14-0098

ORDER

AND NOW, this 11th day of December, 2017, upon careful and independent consideration of the petition for a writ of *habeas corpus*, together with the response thereto, and after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, and in the absence of any objections,¹ **I HEREBY ORDER** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. The petition for a writ of *habeas corpus* is **DISMISSED** with prejudice.
3. There is *no* probable cause for a certificate of appealability.
4. The Clerk of Court shall mark this case closed for statistical purposes.

BY THE COURT:

/s J. William Ditter, Jr.
J. WILLIAM DITTER, JR. J.

¹ On December 9, 2016, Petitioner's sentence of life imprisonment without the possibility of parole was vacated pursuant to *Miller v. Alabama*, 567 U.S. 460 (2012) and Petitioner was re-sentenced to a term of 30 years to life in prison. Petitioner was subsequently granted parole and released from prison. While Petitioner's *Miller* claim in the instant petition was rendered moot by his re-sentencing, Petitioner presented other claims in his *habeas* petition which were reviewed by Judge Caracappa in her Report and Recommendation. Unfortunately, the Clerk's Office has been unable to send Petitioner a copy of the Report and Recommendation as Petitioner failed to update his address upon release from prison. Recognizing Petitioner's unique circumstances, my chambers made diligent efforts to ascertain his current address to no avail.